**THE HON'BLE SRI JUSTICE C.V.RAMULU**

W.P.No.21332 of 2006

Dated:08.12.2006

Between
Abyudaya Dwakra Group,
Machilipatnam Krishna District
Rep., by its President
A.Sreehari

.....Petitioner

and

Revenue Divisional Officer Officer,
Machilipatnam Division,
Machilipatnam, Krishna District

...Respondents

**THE HON'BLE SRI JUSTICE C.V.RAMULU**

W.P.No.21332 of 2006

ORDER:

This writ petition is filed seeking a Mandamus to declare the Notification Rcc.No. (3177/2002), Rcc.No.1089/2006 dated 29.9.2006 (Shop No.6) issued by the respondent, as illegal and arbitrary.

The case of the petitioner is that it is an Abyudaya Dwakra Group at Machilipatnam, Krishna District, and is running a fair price shop No.6 at Machilipatnam since 2001, as the original allottee of the shop had resigned.

Now, the grievance of the petitioner is that instead of reserving the same for the petitioner-group, a fresh notification was issued on 29.9.2006 by the respondent inviting applications to fill up the vacancy of Shop No.6 of Machilipatnam Town having reserved the same for Schedule Tribe candidate.

It is not the case of the petitioner that there are some Scheduled Tribe people available in their group, but still, the case of the petitioner was considered. May be under GOMs.No.53, the petitioner-group is entitled for a preferential right, but no Scheduled Tribe member is available in the petitioner-group nor they have applied when fresh notification was issued. Therefore, no ground is made out to interfere with the impugned notification issued by the respondent. The writ petition is devoid of merits and is liable to be dismissed.

Writ petition is accordingly dismissed. No costs.

_____

12-12-2006

rkk